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**State of Utah**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Oil, Gas & Mining**

MICHAEL R. STYLER  
Executive Director

JOHN R. BAZA  
Division Director

JK

March 14, 2008

Chris R. McCourt  
Alton Coal Development, LLC  
463 North 100 West, Suite 1  
Cedar City, Utah 84720

Subject: Administrative Completeness Review – Determined Complete, Alton Coal Development, LLC, Coal Hollow, C/025/005, Task ID #2910, Outgoing File

Dear Mr. McCourt:

On January 24, 2008 Alton Coal Development, LLC provided the Division with supplemental information to be incorporated into the June 14, 2007 Coal Hollow Mine application package for a surface coal mining operation near Alton, Utah. The full application has been determined to be complete. A copy of the Administrative Completeness Review (ACR) is enclosed.

Alton Coal Development, LLC must now provide public notification of the proposal as required by R645-300-121.100. The notice must be in a local newspaper at least once a week for four consecutive weeks and must contain all the information described in R645-300-121.100 *et seq.* Please note our comments on the attached ACR form before proceeding with public notice. Alton Coal Development, LLC must provide a copy of the complete application for public review at the Kane County Courthouse by the time of the first public notice (R645-300-121.200). A copy of the publication should be sent to the Division as soon as it is available. An affidavit of publication will also be required to be in the final application.

We will proceed with our obligation to notify local, state and federal government agencies of your intent to conduct surface coal mining on the 635.64 acre tract of land Located in Kane County, T.39 S., R.5 W., Sections 19, 20, 29 and 30, approximately 3 miles south of Alton on County Rd. #136 (R645-300-121.300 *et seq.*).

A technical review of your plan will be initiated. Review of new surface mine permit applications may not exceed one year (R645-300-131.114). Prior to approval, the Division must find that your application is technically complete. We expect to convey our progress to you in ninety days (June 19, 2008), which will allow time to incorporate any public comment into our review. The Division will also coordinate with other agencies and incorporate their comments into our review process.

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We look forward to working with you throughout the permitting process. Please contact Priscilla Burton at (435) 613-3733 or myself at (801) 538-5325 with your questions.

Sincerely,

A handwritten signature in black ink that reads "Daron R. Haddock". The signature is fluid and cursive, with the first name "Daron" being more prominent than the last name "Haddock".

Daron R. Haddock  
Permit Supervisor

PWB/an  
Enclosure  
cc: Mary Ann Wright  
Price Field Office  
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**ADMINISTRATIVE COMPLETENESS REVIEW WORKSHEET  
(R645-100)**

**DATE:** March 14, 2008

**REVIEWER(S):** Priscilla Burton, Wayne Western, Joe Helfrich, Dana Dean, Jim Smith, Dave Darby

**APPLICANT:** Alton Coal Development, LLC; 463 No. 100 West, Ste. 1; Cedar City UT 84720

**MINE NAME:** Coal Hollow Mine **FILE NO.:** C/025/0005

"Administratively Complete Application" means an application for permit approval or approval for coal exploration, where required, which the Division determines to contain information addressing each application requirement of the State Program and to contain all information necessary to initiate processing and public review.

**Directions:** The categories listed below correspond to the minimum requirements for information necessary to initiate processing and public review. If a category is checked the Applicant has met the Completeness requirement for that category. If a category is not checked, the Completeness requirements have not been met. The comments column will identify the deficiency and what is necessary to correct it.

Comments		
301-112	Identification of Interests <u>X</u>	
100	Applicant's Business Structure <u>X</u>	
210	Applicant's Name/Address/Phone <u>X</u>	Alton Coal Development, LLC; 463 No. 100 West, Ste. 1; Cedar City UT 84720
220	Resident Agent's Name/Address/Phone <u>X</u>	Chris McCourt 435-867-5331
230	Name/Address/Phone of AML Fees Payer <u>X</u>	
300	Corporate Structure & Ownership <u>X</u>	
400	Identify Other Mining Operations in US <u>X</u>	
500	Surface & Mineral Ownership <u>X</u>	
600	Ownership Contiguous to Permit <u>X</u>	
700	MSHA Numbers <u>X</u>	pending, see Section 112.700
800	Interest in Contiguous Lands <u>X</u>	

301-113	Violation Information	<u>X</u>	
100	Suspension or Revocation Information	<u>X</u>	
300	List of Violations - <b>3 Previous Years</b>	<u>X</u>	

301-114	Right of Entry	<u>X</u>	Confidential Appendix 1-2 is referenced for location of conveyance documents described in Section 114.
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301-115	Status of Unsuitability Claims	<u>X</u>	
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301-116	Permit Term	<u>X</u>	
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301-117	Insurance	<u>X</u>	<p>When application is determined complete, applicant must add the following to the notice:</p> <ol style="list-style-type: none"> <li>1. Dates of publication and</li> <li>2. A statement that public comment is accepted until 30 days after last date of publication.</li> </ol> <p>Specifics of County Road closure were not included in this initial public notice, therefore a second public notice will be required prior to the road closure and relocation.</p>
	Proof of Publication	<u>X</u>	
	Facilities and Structures Used in Common	<u>X</u>	

301-118	Filing Fee	<u>X</u>	
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301-123	Notarized Signature of Responsible Official	<u>X</u>	
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301-130	Information Collection: <b>Technical Data Accompanied by Names of Persons or Organizations that Collected and Analyzed the Data - Dates of Collections - and Analysis of the Data and Description of the Methodology Used to Collect and Analyze Data</b>	<u>X</u>	
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301-200	Soils	<u>X</u>	
211	Description of Pre-mining Soil Resources	<u>X</u>	
221	Prime Farmland Investigation	<u>X</u>	
222	Soil Survey	<u>X</u>	
224	Substitute Topsoil Info (When Proposed)	<u>X</u>	
230	Operation Plan <b>Topsoil Handling/Removal/Storage</b>	<u>X</u>	
240	Reclamation Plan <b>Soil Redistribution/Stabilization</b>	<u>X</u>	

301-300	Biology	<u>X</u>	The Biology section is included in Chapter 3 of the application submitted in response to the deficiencies noted in the ACR dated August 10, 2007. It is formatted under the R645 rules and addresses Section R645-301-300 et. sec. of the coal regulations.
320	Vegetation Information	<u>X</u>	The vegetation information is included in Section 321 and describes the plant communities and productivity for the proposed mine permit area. Appendix 3-4 covers the surface facility area, mining projections for all three years of mining, spoil pile area, reference areas and areas outside the permit area that will be evaluated for the AVF determination. A preliminary review of the baseline hydrologic and soils information indicates that there is shallow ground water beneath the eastern most meadow vegetative community as depicted on Drawing 3-1.

322	Fish and Wildlife Information	<u>X</u>	The Fish and Wildlife Information is provided in Section 322 et. sec. and includes Agency consultation and studies, site specific resource information, T&E lists, habitats FWS review, and maps for the proposed mine permit area.
323	Maps/Photos <b>Vegetation-Fish-Wildlife Areas</b>	<u>X</u>	Vegetation and wildlife maps are included in Section 323 et. sec. of the application, they include plant communities, deer, elk, black bear, and sage grouse brood habitat.
330	Operation Plan <b>Vegetation-Fish-Wildlife Protection</b>	<u>X</u>	Section 333 et. sec. includes procedures to minimize impacts to fish and wildlife during operations.
341	Reclamation Plan for Revegetation	<u>X</u>	Sections 340-342 et. sec. include a reclamation plan for revegetation. The plan contains enough information to initiate a technical analysis.
342	Fish & Wildlife Plan for Reclamation Phase	<u>X</u>	Sections 340-342 include protection and enhancement measures for fish and wildlife during the reclamation phase. Performance standards are included in Section 350 et. sec.

301-400	Land Use and Air Quality	<u>X</u>	Air Pollution Control Plan in App. 4-2 and Section 526.400 of the application. Correspondence with the Bureau of Air Quality will need to be included in the application prior to final approval.
411	Pre-Mining Land Use Information <b>(Includes Cultural Resources)</b>	<u>X</u>	Cultural resource information is described in Chapter 4, Section 411 et. seq. of the application and includes a cultural resource survey and a map delineating the extent of the survey of the proposed area to be affected by strip mining activities.
412	Post-Mining Land Use Information	<u>X</u>	Post mining land use information is included in Chapter 4 Section 412 of the application. It includes management plans for the two land owners, Richard Dame and Burton Pugh.

301-500	Engineering	<u>X</u>	
510 520	General Description of Operation Plan <b>(Maps, Locations, Cross-Sections, Narrative, Descriptions &amp; Calculations)</b>	<u>X</u>	<p>The Applicant addresses the general requirements for certification, MSHA regulations, inspections, reporting and emergency procedures and prevention of slides.</p> <p>The Applicant has expressed interest in the adjacent unleased Federal coal and has a 2,746 acre Lease by Application action before the Bureau of Land Management (p.5-21).</p>

522	Coal Recovery Description	<u>X</u>	Open pit mining is scheduled to recover 95% of the coal.
523	Mining Methods	<u>X</u>	Mining will be open pit.
524	Blasting and Explosives Plan	<u>X</u>	The Permittee does not expect to conduct blasting at the site.
525	Subsidence Control Plan	<u>X</u>	No underground mining is planned.
526	Mine Facilities Description (Narrative, Plans, Maps) Including Existing Structures & Support Facilities	<u>X</u>	
527	Transportation Facilities (Including Plans & Maps)	<u>X</u>	Maps and cross sections for primary roads included. Ancillary roads are mentioned but not shown on maps.
528	Coal Mine Waste Plans (Description & Designs)	<u>X</u>	No coal mine waste is planned to be generated.
529	Management of Mine Openings (Design)	<u>X</u>	Openings will be sealed when no longer needed.
531	General Plans for Structures	<u>X</u>	
532	Sediment Control	<u>X</u>	Structures will be installed
533	Impoundments	<u>X</u>	Impoundments will be designed to Division standards.

301-534	Roads (Plans, Drawings, Designs, & Specifications)	<u>X</u>	Road designs were included.
535	Spoil	<u>X</u>	
536	Coal Mine Waste	<u>X</u>	
537	Regraded Slopes	<u>X</u>	No regraded slopes are anticipated.
540 541-542	Reclamation Narrative, Maps and Plans	<u>X</u>	
551	Casing and Sealing Underground Openings	X	Wells are planned to be sealed.

553	Backfilling and Grading Description	<u>X</u>	
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301-600	Geology	<u>X</u>	Updated geologic logs and stratigraphic descriptions were submitted from from boreholes CH-07 and CH08.
621	Description of Geology (Permit & Adjacent Area)	<u>X</u>	
622	Geologic Cross-Sections, Maps, and Plans	<u>X</u>	
630	Plans for Casing and Sealing Holes	<u>X</u>	Information in Sections 748, 755 and 765.

301-700	Hydrology	<u>X</u>	
721	Description of Hydrologic Resources (Permit and Adjacent Area)	<u>X</u>	
722	Cross-Sections and Maps <b>Subsurface Water - Surface Water - Monitoring Stations - Wells</b>	<u>X</u>	
723	Sampling and Analysis	<u>X</u>	
724	Baseline Information <b>Ground Water - Surface Water - Geology - Climatological &amp; Supplemental; If Needed</b>	<u>X</u>	Baseline water-quality and -quantity data have been submitted electronically to the Division's database. The proposed plan includes baseline and operational water quality parameter lists.
728	PHC Determination	<u>X</u>	
730	General Operation Plan <b>Minimize Disturbance to Hydrologic Balance &amp; Compliance with Clean Water Act</b>	<u>X</u>	
731	Ground and Surface Water Protection	<u>X</u>	
732	Ground and Surface Water Monitoring	<u>X</u>	



301-740	Plans and Designs <b>Operation and Reclamation Plan</b> <b>Sediment Control Measures</b>	<u>X</u>	
	Siltation Structures	<u>X</u>	
	Sediment Ponds	<u>X</u>	
	Other Treatment Facilities	<u>X</u>	
	Diversions	<u>X</u>	
	Road Drainage	<u>X</u>	
	Impoundments	<u>X</u>	
	Discharge Structures	<u>X</u>	
	Disposal of Excess Spoil	<u>X</u>	
	Coal Mine Waste	<u>X</u>	
	Disposal of Non-Coal Mine Waste	<u>X</u>	
	Casing and Sealing of Wells	<u>X</u>	

301-800	Bonding and Insurance	<u>X</u>	
820	Applicant <b>Have Adequate Bond at Permit Issuance</b>	<u>X</u>	Bond and insurance are not required as part of the submittal but must be in place before permit issuance.
830	Bond Estimate and Calculations Provided	<u>X</u>	Reclamation cost estimates were included.
890	Certificate of Insurance Provided	<u>X</u>	Can be provided before the Division issues a permit.

302-200	Special Categories of Mining	<u>NA</u>	
210	Experimental Practices Mining	<u>NA</u>	
220	Mountaintop Removal Mining	<u>NA</u>	
230	Steep Slope Mining	<u>NA</u>	
240	Auger Mining	<u>NA</u>	
250	In Situ Processing Activities	<u>NA</u>	

302-260	Coal Processing Plants (Not Located Within Permit Area of Mine) <u>NA</u>	NA
270	Variances From Approximate Original Contour Restoration Requirements <u>X</u>	Excess spoil pile covers 87 acres, varies in height above original contour from 60 - 100 ft. (p. 5-11), Design Dwg 5-35 and 5-36.
280	Variances for Delay in Contemporaneous Reclamation Requirement in Combined Surface and Underground Coal Mining Activities <u>X</u>	Section 542, p. 5-55 requests variance from R645-301-553.
290	Small Operator Assistance Program (SOAP) <u>NA</u>	N/A

302-300	Special Areas of Mining <u>X</u>	
301	Prime Farmland <u>NA</u>	N/A where soils are not irrigated in the coal hollow project area, NRCS prime farmland determination letter dated 10/30/2006.
302	Alluvial Valley Floors <u>X</u>	The Applicant presents information from AVF investigations in Appendices 7-7, 7-1 and 7-4.

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